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Control**



Success Stories

- **DSMOA Program:** Since DSMOA program has been implemented in South Carolina, significant progress has been made in the characterization and clean-up at the DOD facilities-outpacing progress at commercial sites in the State
- **Charleston Naval Complex:** Since the implementation of the Fixed Price contract, accelerated progress has been achieved at the CNC.



Lessons Learned

- **Charleston Naval Complex:** Fixed Price contract negotiated unrealistic schedules without consultation with the SCDHEC. Therefore, the achievement of the milestones in the contract between the Navy and the contractor may be missed due to overload of the regulatory resources.

South Carolina Issues that Could Affect DOD Facilities





RCRA and CERCLA Integration



- RCRA Authority at NPL Sites. Currently negotiating an FFA with the Marine Corp Recruit Depot. State RCRA authority the main issue of contention.
- Obtaining RCRA permits for remediation at DOD facilities. Must meet the substantive requirements of RCRA—therefore permit not burdensome.



Land Use Controls

- **Land use Control Mechanisms:** State working on determining the appropriate mechanism for ensuring land use restrictions remain in place after property transfer. Until this is finalized, land transfers of property requiring land use restrictions may be delayed.
- **Responsible Party for Land Use Control:** Need legal interpretation of who is responsible for ensuring Land Use Controls remain in effect.



Formerly Utilized Defense Sites (FUDs)

- **Cleanup Progress:** Concerned with progress of characterization and cleanup of FUD sites in South Carolina where hazards have been identified. State looking at ways to motivate action at such facilities.
- **Screening of Sites:** State will be starting this year screening some FUD sites through the Preliminary Assessment/Site Screening (PA/SI) program as we do all other abandoned sites in South Carolina.

Gov. Performance Results Act (GPRA)

- **High Priority Sites:** Of the 39 High Priority Sites in South Carolina- 8 are DOD Facilities. Of those 8 high priority sites- 7 are still categorized as “uncontrolled”, which means either the groundwater contaminant migration or human health exposure pathways or both are uncontrolled.
- **Indoor Air:** Becoming an issue where occupied buildings are over groundwater contamination and will need to be assessed to determine if the Human Health Air Pathway is controlled or uncontrolled.



2001 Regulatory Changes

- **Reg. 61-30 Environmental Protection Fees:** New fees for the following: 1) NPDES Storm Water Permits; 2) Laboratory analysis of private drinking water wells; 3) Laboratory Certification; 4) Infectious waste management; 5) Specific Radioactive materials licenses. This regulation also establishes schedules for timely action by DHEC on permit applications.
- **Repeal of 61-66 and 61-70 Industrial Waste and Sanitary landfill design, construction, and operation:** Regs contained antiquated and obsolete requirements that were superceded by Solid Waste Regs 61-107.11.



2001 Regulatory Changes that could affect DOD Facilities

61-68 Water Classifications and Standards:

- Adoption of the Federal Toxics Criteria rather than referring to the Federal Regulations
- Adoption of numeric criteria for phosphorus, nitrogen, and chlorophyll;
- Applicability of flow conditions: Additional and revised language to clarify the applicable flow requirements for aquatic life and human health numeric criteria.



2001 Regulatory Changes that could affect DOD Facilities

61-68 Water Classifications and Standards (cont.):

- Selection of a more appropriate water hardness level for which will be used to calculate permit effluent limitations and an inclusion of an upper limit for allowable ambient hardness level;
- Additional language added to restrict the size of the acute and chronic mixing zones and to prohibit their use in certain situations to protect aquatic life and human health.

